

RECRUITMENT AND SELECTION POLICY

Statement and Purpose of Policy

1. Virtuosi Education Provider Ltd (the **Employer, we or our**) is committed to equal opportunities for all internal and external applicants (**Applicants**).
2. It is our policy that all employment decisions are based on merit and the legitimate business needs of the organisation. The Employer does not discriminate on the basis of race, colour or nationality, ethnic or national origins, sex, gender reassignment, sexual orientation, marital or civil partner status, pregnancy or maternity, disability, religion or belief, age or any other ground on which it is or becomes unlawful to discriminate under the laws of England, Wales and Scotland (the **Protected Characteristics**).
3. Our intention is to ensure that we recruit the most appropriate Applicants in a fair and consistent manner, which is free from discrimination.
4. This Policy is intended to help the Employer achieve its diversity and anti-discrimination aims by clarifying the responsibilities and duties of all staff in respect of equal opportunities and discrimination during the recruitment and selection process.
5. This is a statement of policy only and we may, therefore, amend it at any time, at our absolute discretion.

Who Is Responsible for Equal Opportunities?

6. Achieving an equal opportunities workplace is a collective task shared between the Employer and all its staff. This Policy and the rules contained in it, therefore, apply to all staff of the Employer irrespective of seniority, tenure and working hours, including all employees, directors and officers, consultants and contractors, casual or agency staff, trainees, homeworkers and fixed-term staff and any volunteers or interns (**Staff**).
7. The board of directors of the Employer has overall responsibility for this Policy and for equal opportunities and discrimination law compliance in the workplace and the Company director has been appointed as the person with day-to-day operational responsibility for these matters.
8. All Staff have personal responsibility to ensure compliance with this Policy, to treat colleagues with dignity at all times and not to discriminate against or harass other members of Staff, Applicants, visitors, clients, customers, suppliers and former staff members. In addition, Staff who take part in recruitment and selection (the **Managers**) have special responsibility for leading by example and ensuring compliance.
9. Managers will receive appropriate training in equal opportunities and must take all necessary steps to:
 - a. promote the objective of equal opportunities and the values set out in this Policy;
 - b. ensure that their own behaviour and those of the Staff they manage comply in full with this Policy;
 - c. ensure that any complaints of discrimination, victimisation or harassment (including against themselves) are dealt with appropriately and are not suppressed or disregarded.
10. For more detailed guidance on equal opportunities, see our Equal Opportunities Policy, available from the HR department or the person responsible for HR matters,

What Is Discrimination?

11. Discrimination occurs in different ways, some more obvious than others. Discrimination on the grounds of any of the Protected Characteristics is prohibited by law, even if unintentional unless a particular exception applies.

12. Discrimination includes:

Direct Discrimination

13. Direct discrimination is less favourable treatment because of one of the Protected Characteristics. Examples would include refusing a woman a job as a chauffeur because you believe that women are not good drivers or restricting recruitment to persons under 40 because you want to have a young and dynamic workforce.
14. Direct discrimination can arise in some cases even though the person complaining does not actually possess the Protected Characteristic but is perceived to have it or associates with other people who do. For example, when a person is less favourably treated because they are (wrongly) believed to be homosexual or because they have a spouse who is Muslim.

Indirect Discrimination

15. Indirect discrimination arises when an employer applies an apparently neutral provision, criterion or practice which in fact puts individuals with a particular Protected Characteristic at a disadvantage, statistically and this is unjustified. To show discrimination the individual complaining also has to be personally disadvantaged. An example would be a requirement for job candidates to have ten years' experience in a particular position, since this will be harder for young people to satisfy. This kind of discrimination is unlawful unless it is a proportionate means of achieving a legitimate aim.

Victimisation

16. Victimisation means treating a person less favourably because they have made a complaint of discrimination or have provided information in connection with a complaint or because they might do one of these things.

Harassment

17. Harassment is:
 - a. unwanted conduct which is related to a Protected Characteristic and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them; or
 - b. unwanted conduct which is of a sexual nature and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them (**Sexual Harassment**); or
 - c. less favourable treatment because of the rejection of or the submission to Sexual Harassment.
18. Harassment may include:
 - a. use of insults or slurs based on a Protected Characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks;
 - b. physical or verbal abuse, threatening or intimidating behaviour because of a Protected Characteristic or behaviour of a sexual nature;
 - c. unwelcome physical contact including touching, hugging, kissing, pinching or patting, brushing past, invading personal space, pushing grabbing or other assaults;
 - d. mocking, mimicking or belittling a person's disability, appearance, accent or other personal characteristics;
 - e. unwelcome requests for sexual acts or favours; verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour;
 - f. repeated requests, either explicitly or implicitly, for dates;
 - g. repeated requests for social contact or after it has been made clear that requests are unwelcome;
 - h. comments about body parts or sexual preference;

- i. displaying or distributing offensive or explicit pictures, items or materials relating to a Protected Characteristic or of a sexual nature;
 - j. shunning or ostracising someone, for example, by deliberately excluding them from conversations or activities;
 - k. 'outing' or threatening to 'out' someone's sexual orientation (ie to make it known);
 - l. explicit or implicit suggestions that employment status or progression is related to toleration of, or acquiescence to sexual advances, or other behaviour amounting to harassment.
19. Other important points to note about harassment:
- a. a single incident can amount to harassment;
 - b. behaviour that has continued for a long period without complaint can amount to harassment;
 - c. it is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment;
 - d. it is not necessary for an individual to communicate that behaviour is unwelcome before it amounts to harassment; and
 - e. the onus is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of doubt, you must refrain from such conduct.
20. For more information on harassment and what it entails, see our Anti-Harassment and Bullying Policy, available from the HR department or the person responsible for HR matters.

Direct Discrimination

21. This could be direct or indirect discrimination, and is any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Advertisements

22. Managers need to ensure that all vacancies are advertised to a diverse audience and try to avoid informal recruitment methods that exclude fair competition. In very rare cases, it may be legitimate and necessary to restrict recruitment to a particular role to certain groups, but it is essential that this is discussed with the Company director so that appropriate steps can be taken to ensure legality.
23. All vacancies advertised must set out:
- a. the job title;
 - b. the salary, pay scale or pay band applicable to the vacancy;
 - c. any significant benefits that come with the position;
 - d. the minimum qualifications required for the position (if any);
 - e. the particular skills and/or experience required for the position (if any);
 - f. any atypical features of the position (e.g. that it is part-time, fixed-term or requires frequent travel outside of the UK); and
 - g. the last date to submit applications.
24. All advertisements will make it clear that the vacancy is open to all suitable Applicants, regardless of an Applicant's Protected Characteristic. Managers need to review job advertisements carefully to ensure that stereotyping is avoided and that particular groups are not unjustifiably discouraged from applying.

Applications, Selection and Decisions

25. All applications will be acknowledged within 14 days.
26. The Employer's application forms will contain only questions relevant to the selection process, to help Managers decide whether an Applicant should proceed to the next stage of the recruitment process.
27. At each stage of the recruitment process, Applicants will be informed about:
 - a. when they can expect to hear about the progress of their application; and
 - b. what the next stage will involve.
28. All decisions regarding an application, including:
 - a. rejecting the application;
 - b. progressing the application to the next stage; or
 - c. offering an Applicant the position;must be approved by the HR department or the Manager's direct supervisor before they are communicated to an Applicant.

Selection Testing

29. Selection testing may only be used with the permission of the HR department where it has been confirmed that the selection test:
 - a. is free from any discriminatory element; and
 - b. assesses only objective requirements that are necessary for the position.
30. Records of any selection testing undertaken will be retained for one year after the selection testing.

Interviewing

31. Before conducting an interview, Managers should:
 - a. identify the objective requirements of the position; and
 - b. identify the objective criteria they will use to select Applicants for the position. These recruitment criteria need to be relevant to the job, reflect genuine business needs and are proportionate.
32. The interview will be conducted in the following way:
 - a. the Manager will conduct the interview in the presence of a member of the HR department or other colleague who, where appropriate, will take notes or jointly conduct the interview.
 - b. the questions asked should be relevant to the pre-defined criteria for the position.
 - c. no questions will be asked about an Applicant's health or disability before a job offer is made (other than in exceptional circumstances and after having been approved by the Company director). If necessary, a job offer can be expressed to be conditional upon satisfactorily passing a medical check.
 - d. no questions will be asked about an Applicant's Protected Characteristic, as this may demonstrate an intention to discriminate. For example, Applicants should not be asked about current or future pregnancy, childcare or related matters.
 - e. no assumptions will be made about an Applicant based on Protected Characteristics. For example, assumptions about an Applicant's immigration status based on appearance, accent or apparent nationality.
 - f. no questions about an Applicant's personal circumstances will be asked.

33. Records of the interview (including questions asked, answers given and any interview notes) will be retained for one year after the interview.

Engaging Foreign Nationals

34. The Employer is legally required to verify that all employees have the right to work in the UK. Prior to starting employment, all prospective employees must produce original documents to the Employer's satisfaction, irrespective of nationality.
35. Information about the documents required is available from the Company director.

Monitoring

36. As part of the recruitment process, the Employer monitors Applicants':
 - a. sex.
 - b. sexual orientation.
 - c. ethnic group.
 - d. disability.
 - e. religion.
 - f. age.
37. We do this to assess the effectiveness of our measures to promote equal opportunities and to help us identify and take appropriate steps to avoid discrimination, under-representation and potential disadvantage and improve diversity.
38. Provision of this information is voluntary and the information is kept in an anonymised format solely for the purposes stated here. The information will not be used as part of any decision-making process relating to the recruitment or employment of the person providing the information.

Complaint

39. Any complaints relating to discrimination in the recruitment and selection process should be made directly to the HR department.
40. Complaints from Applicants will be reviewed and investigated by the HR department and, where appropriate, the legal department, and responded to within 14 days.
41. Anyone found to have committed any acts of discrimination during the recruitment and selection process will be subject to disciplinary action under the Employer's Disciplinary Procedure, available from the HR department or the person responsible for HR matters.
42. An Applicant complaining of unlawful discrimination during the recruitment and selection process has the right to raise a claim with an Employment Tribunal.

Review

43. The board of directors of the Employer keeps this policy under review and reviews it at least once per year, to ensure Applicants are being treated fairly and according to ability and merit.

44. The Employer encourages Staff to comment on this Policy and suggest ways in which it might be improved or ask any questions if they are unsure about any part of this Policy or how it is applied by contacting the Company director .

Attribution

45. This Recruitment and Selection Policy was created using a document from [Rocket Lawyer](https://www.rocketlawyer.com/gb/en) (https://www.rocketlawyer.com/gb/en).